

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

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CLERK, U.S. DISTRICT COURT
ANCHORAGE, A.K.

GERSON NUNEZ,
Defendant,

)
) D.C. NO.: A99-0036-HRH
)

vs.

)
) UNITED STATES OF AMERICA,
) Respondent.
)

) Hon. H. Russel Holland
) U.S. District Judge
)

LETTER MOTION TO SUPPLEMENT DEFENDANT'S RENEWED MOTION FOR
MODIFICATION OF SENTENCE PURSUANT TO 18 U.S.C. §3582(c)

NOW COMES, Gerson Nunez, pro se, Defendant in the above entitled matter; does submit and file this "Letter Motion to Supplement Defendant's Renewed Motion for Modification of Sentence Pursuant to 18 U.S.C. §3582(c)"; and after consideration of all files, records, motions, pleadings, attachments, exhibits, and things alike; respectfully moves the Honorable Court to GRANT this motion in the interest of justice; and to prevent a miscarriage of justice.

In further support of this letter motion, the Defendant moves the Court to consider the following:

1. On March 7, 2008, Defendant filed a renewed motion for reduction of sentence as Defendant's ex-counsel John C. Pharr abandoned the Defendant in the middle of the proceedings.

2. As of today, Fifteen (15) days has elapsed without an opposition from the government. (AUSA Audrey J. Renschen).

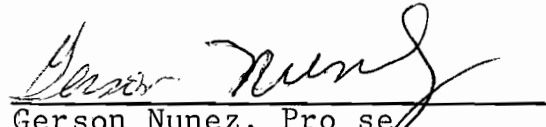
3. Defendant presume that AUSA Audrey J. Renschen agreed with the Defendant to a two (2) point level reduction based upon the new Amendment to the Guidelines for crack cocaine offense. (Attached -A- letter sent to AUSA Renschen), which allow the Defendant to time served after the reduction of the 2 level.

4. Defendant directs the Court to the following cases which are similar to the Defendant when the indictment is mixed with two (2) different drugs (cocaine and cocaine base). See United States v. Watkins, 2008 U.S. Dist. Lexis 2666 (E.D. of Tennessee January 14, 2008); United States v. Medina-Castaneda, 511 F.3d 1246 (9th Cir. 2008). See also, United States v. Giles-Cuevas, 2007 U.S. Dist. Lexis 92747 (December 14, 2007 District of Oregon)(Attached -B- included herein).

6. Defendant further direct the Court to Defendant's affidavit attached herein, as well as exhibit -C- Certificate from Life Skills, exhibit -D- RRP Health Certificate, exhibit -E- Transcript from Texas College.

7. Based upon the foregoing, the Defendant respectfully move the Court to issue an Order and GRANT the Defendant a two (2) point reduction and reduce Defendant's sentence to time served.

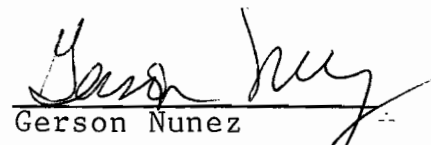
Respectfully Submitted this 28 day of March of 2008.


Gerson Nunez, Pro se
Reg.No. 46057-054
SPC-Canaan, P.O. Box 200
Waymart, PA 18472

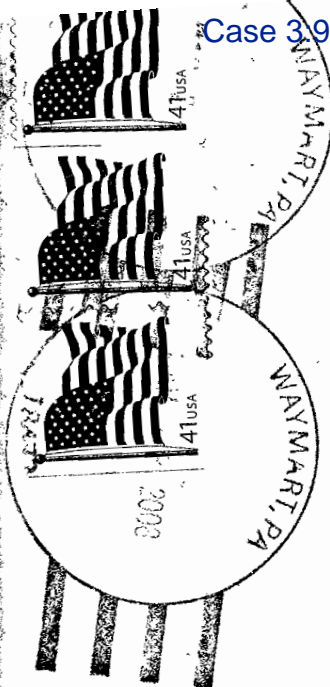
CERTIFICATE OF SERVICE

I, Gerson Nunez, hereby certify that a copy of this "letter motion to supplement Defendant's renewed motion for sentence reduction was placed in the SPC-Canaan, "legal mail" system on the 28th day of March 2008; postage prepaid; first class mail; for delivery to the following:

AUSA Audrey J. Renschen
222 West 7th Avenue #9
Anchorage, AK 99513


Gerson Nunez

Gerson Nunez #46057-054
SPC-Canaan, P.O. Box 200
Waymart, PA 18472



THIS CORRESPONDENCE IS
FROM AN INMATE CURRENTLY
IN THE CUSTODY OF THE
BUREAU OF PRISONS



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99513

Clerk of the Court
United States District Court
District of Anchorage, Alaska
222 West 7th Avenue #4
Anchorage, AK 99513